

International Safety Management (ISM) Code and the U.S. Coast Guard's Port State Control Program

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General Information and References

The ISM Code was adopted by the International Maritime Organization (IMO) by resolution A.741(18). The objectives of the ISM Code are to ensure safety at sea, prevention of human injury or loss of life, and avoidance of damage to the environment, in particular, to the marine environment, and to property. The Code requires companies to establish safety objectives as described in section 1.2 of the ISM Code. In addition companies must develop, implement and maintain a Safety Management System (SMS) which includes functional requirements as listed in section 1.4 of the ISM Code.

Compliance with the ISM Code became mandatory with the adoption of SOLAS, Chapter IX, "Management for the Safe Operation of Ships." The IMO provided amplifying guidance on implementation of the requirements of SOLAS, Chapter IX, and the ISM Code in resolution A.788(19), "Guidelines on the Implementation of the International Safety management (ISM) Code by Administrations."

In a Final Rule (*in adobe acrobat format*), published on December 24, 1997, the U.S. Coast Guard implemented the requirements of the ISM Code into its regulations. These regulations apply to both foreign and domestic commercial ships operating in U.S. waters. To maintain consistency with existing U.S. shipping regulations, some of the terms used in the Final Rule differ from those used in SOLAS and the ISM Code. The following table provides a list of some of those terms and the equivalent SOLAS term.

U.S. terms		SOLAS terms
vessel transporting more than 12 passengers	is equivalent to	passenger ship
tanker	is equivalent to	oil tanker, chemical tanker and gas carrier
bulk freight vessel	is equivalent to	bulk carrier
freight vessel	is equivalent to	cargo ship

Applicability of the ISM Code

SOLAS, Chapter IX, and the ISM Code applies to ships, regardless of the date of construction, as follows:

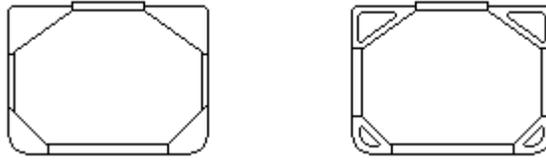
- Passenger ships, including passenger high-speed craft, not later than 1 July 1998
- Oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high-speed craft of 500 gross tons or more, not later than 1 July 1998
- Other cargo ships and mobile offshore drilling units (MODUs) of 500 gross tons or more, not later than 1 July 2002

Definition of Bulk Carrier under the ISM Code

In November 1997, the SOLAS Conference on the Safety of Bulk Carriers was held at the IMO's headquarters in London. During this conference, an interpretation was adopted regarding the definition of bulk carrier as stated in Regulation 1.6 of SOLAS, Chapter IX. The U.S. has decided to accept this interpretation and will use it to determine whether ships are bulk carriers or not. The interpretation basically divides bulk carriers under the ISM Code into three categories: general bulk carriers, ore carriers and combination carriers. A description and examples of each type are provided below.

1. *general bulk carrier* - is a ship which:
 - is constructed with a single deck
 - is constructed with top-side tanks
 - is constructed with hopper side tanks
 - is intended primarily to carry dry cargo in bulk

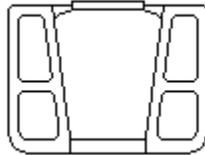
- typical cross sections -



2. *ore carrier* - is a ship which:

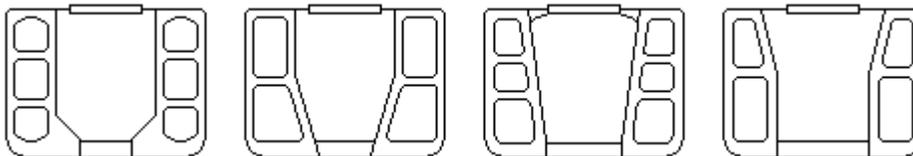
- is constructed with a single deck
- is constructed with two longitudinal bulkheads
- is constructed with a double bottom throughout the cargo region
- is intended for the carriage of ore cargoes

- typical cross section -



3. *combination carrier* - is a ship which is a tanker designed to carry oil or alternatively solid cargoes in bulk. (SOLAS 74, Chapter II-2, regulation 3.27)

- typical cross sections -



Pre-Enforcement Program

On December 15, 1997, U.S. Coast Guard Port State Control Officers (PSCOs) began conducting checks for compliance with SOLAS Chapter IX and the ISM Code as part of all general PSC examinations on those ships which must be in compliance by July 1, 1998. This program is designed to accomplish three major goals:

- Gather ISM Code compliance information to assist in enforcement of ISM Code requirements upon its entry into force.
- Provide Coast Guard personnel the opportunity to become familiar with enforcing ISM Code requirements

- Notify and educate the maritime industry of the U.S. Coast Guard's commitment to enforcing the ISM Code upon its entry into force, and of the U.S. Coast Guard's policy with regards to dealing with non-compliance.

If a ship is already in compliance with the ISM Code, the Coast Guard boarding team will note and record the following information:

- Document of Compliance (DOC)
 - Issue and expiration dates
 - Last annual endorsement
 - Issuing organization
 - Company name and address
 - Vessel type(s) listed
- Safety Management Certificate (SMC)
 - Issue and expiration dates
 - Intermediate endorsement
 - Issuing organization

If the ship is not in compliance with the ISM Code, the Coast Guard PSCO will ensure that the Master is made aware of the entry into force dates and of the Coast Guard's enforcement policy by giving the Master an ISM Code Enforcement Letter.

ISM Code Compliance Database

The U.S. Coast Guard has developed a database with which it is recording the compliance status ships as determined from the pre-enforcement checks and other sources. This information will be shared with other Port State Control authorities to assist in enforcing the ISM Code when it enters into force on July 1, 1998.

Advance Notice of Arrival Requirements

Beginning on January 26, 1998, ISM Code information will be required in the Advance Notice of Arrival for those ships that must be in compliance with the ISM Code on July 1, 1998. For ships not required to be in compliance until July 1, 2002, ISM Code information is not required in the Advance Notice of Arrival until January 1, 2000. In addition, those ships that participate in AMVER and are therefore exempt from the Advance Notice of Arrival requirements are not required to provide ISM Code information. However, they may voluntarily provide the ISM Code information on lines X and Y of the AMVER Arrival Report.

The information required includes:

- The date of issuance of the Document of Compliance (DOC)
- The name of the flag Administration, or the authorized organization acting on the flag's behalf, which issued the DOC
- The date of issuance of the Safety Management Certificate (SMC)
- The name of the flag Administration, or the authorized organization acting on the flag's behalf, which issued the SMC.